

**PROCEEDINGS OF THE BROWN COUNTY  
LAND CONSERVATION SUBCOMMITTEE**

Pursuant to Section 18.94 Wis. Stats., a regular meeting of the Brown County Land Conservation Subcommittee was held on Monday, January 27, 2020 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, WI

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**Present:** Chair Norb Dantinne, Supervisor Steve Deslauriers, Supervisor Alex Tran, Supervisor Bernie Erickson, Supervisor Dave Kaster, Citizen Member Stan Kaczmarek  
**Also Present:** County Conservationist Mike Mushinski, Assistant County Conservationist Jon Bechle, Agronomist Technician Nick Peltier; Supervisors Lund, Borchardt, Gruszynski, news media and other interested parties.

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**I. Call Meeting to Order.**

The meeting was called to order by Chair Dantinne at 6:00 p.m.

**II. Approve/Modify Agenda.**

Motion made by Citizen Member Stan Kaczmarek, seconded by Supervisor Kaster to approve. Vote Taken. **MOTION CARRIED UNANIMOUSLY.**

**III. Approve/Modify Minutes of December 16, 2019.**

Motion made by Supervisor Deslauriers, seconded by Supervisor Erickson to approve. Vote Taken. **MOTION CARRIED UNANIMOUSLY.**

**Comments from the Public.** None.

**Land and Water Conservation**

**1. Budget Status Financial Report for November 2019 - Unaudited.**

Motion made by Supervisor Erickson, seconded by Supervisor Deslauriers to receive and place on file. Vote taken. **MOTION CARRIED UNANIMOUSLY**

**2. Director's Report.**

**a. Wildlife Damage Update.**

Assistant County Conservationist Jon Bechle provided an email (attached) re: Proposed Legislation on the Wildlife Damage Abatement and Claims Program which summarized recent legislation pertaining to this program. The main point that would impact the county was Item 1: Effective, January 1, 2022 the requirement for county administration of the program would be eliminated and the program would be administered by the Department. This proposed change in the program would revert Administration to the Department of Natural Resources. Brown County currently got \$22,000-\$23,000 a year in grant monies to administer the program and provide the service. Apparently there was another complimentary Assembly Bill and it mirrored the Senate Bill language. He will continue to monitor and bring back updates.

**b. Silurian Bedrock Performance Standard Implementation.**

Agronomist Technician Nick Peltier, through a PowerPoint (attached), provided a summary of the biggest changes that would affect manure spreading. He reviewed the bedrock in the area and how groundwater and things worked. He noted, when speaking to water contamination it wasn't necessarily just the brown and manure water out of the faucet, there was also nitrates that don't show up in terms of color and bacteria viruses and things like that that aren't easily seen. All of that was in play. One thing really important was verification required, it was a tough thing they were dealing with right now. Another notable change, the setback was anywhere where there was less than 20' to bedrock for manure spreading had increased. The setback for applications around wells had

increased to 250' from 100'. All the areas they know of less than 2' to bedrock, they wanted to get under Nutrient Management Plans. It was approximately 53 landowners that they need to look at in some capacity, on a piece or all of their property that was farmland. Some may just be grassland and no nutrients are applied and no plan necessary.

Mushinski informed this was part of their ordinance revision. The big issues were going to be the 2,600 acres and the 53 landowners that don't have Nutrient Management Plans. They will have to have one to notify and designate where those shallow soils are so they don't spread manure on it. They were going to work those shallow spots first and go deeper. Through the Water Quality Task Force there was potential money available to the county to do well testing. They will look into it and take advantage to hit the highlighted areas.

Kaczmarek questioned if there were concerns with other fertilizers being applied? Peltier responded it was just manure right now. There were already restrictions those soils in terms of the amount of fertilizer you can apply.

Responding to Deslauriers, Peltier informed they will contact the landowner and ask for permission to gain access to the fields to do field verification. Explain the cause and be up front and honest. If they have someone deny access they will have to figure out the next course of action at that point.

Responding to Supervisor Gruszynski, Peltier informed there were a couple reasons that farms would have to have nutrient management. They would have some kind of a waste storage permit, offered cost sharing for nutrient management or if they were a CAFO and had a DNR permit and were required to do nutrient management. They had not really looked at size with the 53 farms but they were fairly small acreage. Most of the farms of any size in the county were already doing nutrient management and they had good records of them.

No action taken.

**Other**

3. Such Other Matters as Authorized by Law. None.

4. Adjourn.

Motion made by Supervisor Erickson, seconded by Citizen Member Stan Kaczmarek to adjourn at 6:22 pm. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Respectfully submitted,

Alicia A. Loehlein  
Administrative Coordinator

**Bechle, Jon E.**

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**From:** Koele, Bradley M - DNR <Bradley.Koele@wisconsin.gov>  
**Sent:** Friday, December 20, 2019 3:23 PM  
**To:** Blake Schuebel; Chad Berge; Trudell, Chad - DATCP; Cindy Blonk; Craig A. Stewart; Dave Schultz; Greg Cervin; Greg Coulthurst; Greg Peterson; Bell, Jeff - DATCP; Bechle, Jon E.; Rodney Mayer; Tim Seidl; Anita Nelson; Bob Willging; Chip Lovell; Dan Hirschert; Ruid, David; Laurie Koeck; Mike Jones; Pam Engstrom; Alec Sundelius; Barry Benson; Brian Maedke; Chad Alberg; Dave Terrall; Dewayne Snobl; Henri Woods; Jeremy Irish; Jim Tharman; Josh Holden; Mike Berg; Phil Peterson; Ross Mielke; Seth Zesiger; Steve Krueger  
**Cc:** Strom, Sean M - DNR; Ryan, Tamara M - DNR  
**Subject:** Proposed Legislation on the Wildlife Damage Abatement and Claims Program

Greetings,

Yesterday, Senate Bill 628 was introduced and referred to the Senate Committee on Natural Resources and Energy: <https://docs.legis.wisconsin.gov/2019/proposals/reg/sen/bill/sb628>

This Bill proposes 5 changes to the Wildlife Damage Abatement and Claims Program;

1. Effective, January 1, 2022 the requirement for county administration of the program would be eliminated and the program would be administered by the Department. This also includes administration of the Deer and Turkey Donation Programs.
2. Allows for compensation of crops damaged when accessing bear trap sites
3. Eliminates the compensation limit. This Bill does not propose any changes to the \$500 deductible or 80% compensation rate for damages in excess of \$5,500. Along with the change in program administration, this change eliminates the deductible being split if enrollees farm in multiple counties
4. Creates an "abatement only" option for leased land bear enrollments. Under this option, bear trapping and relocation assistance would be available on leased lands but the producer would not be eligible for bear damage compensation on those lands and public hunting access for bear hunting would not be required.
5. Requires that all bear traps are equipped with remote bear trap monitors by June 30, 2021.

Changes 2-4, if passed by the legislature, would be effective is/when the Act is signed by the Governor.

I will continue to monitor this Bill as it makes its way through the legislative process. You can also follow its progress at the link above. Please pass this information on to your County Conservationist or Land & Water Director so counties are aware of the proposed legislation.

If you have any questions please let me know.

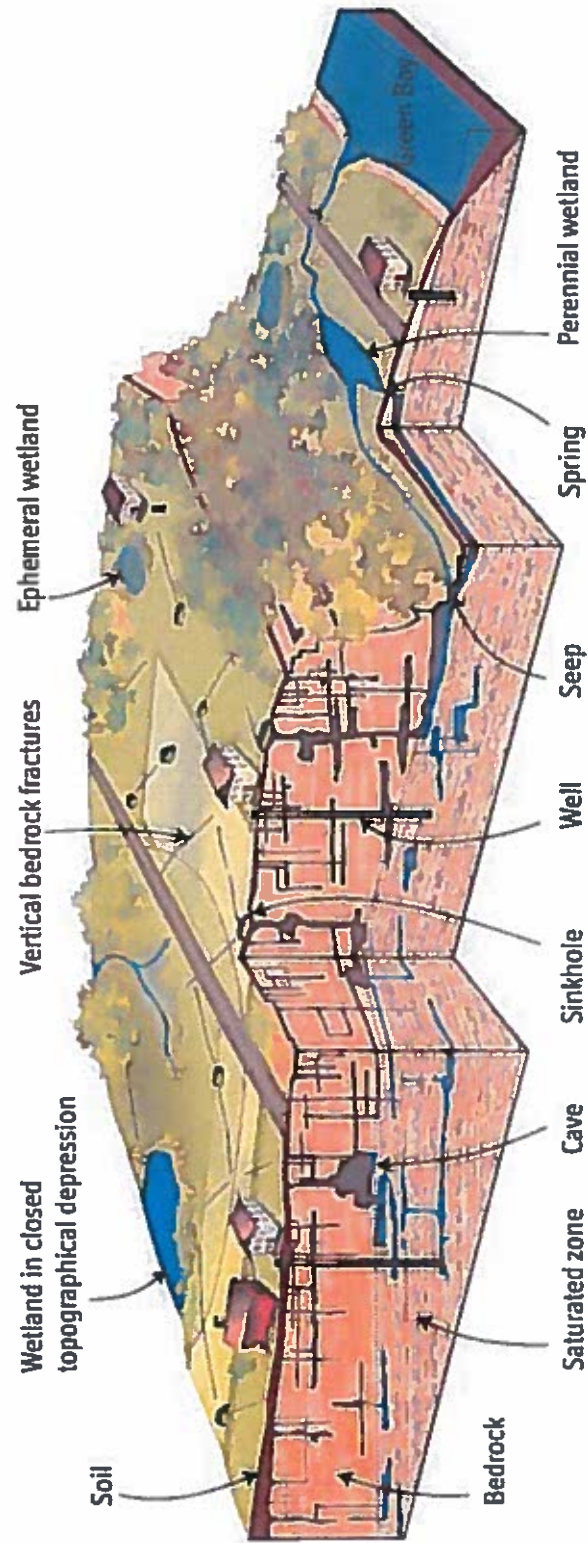
Best regards.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Brad Koele  
Wildlife Damage Specialist – Bureau of Wildlife Management  
Wisconsin Department of Natural Resources  
8770 Hwy. J, Woodruff, WI 54568  
Phone: (715) 356-5211 ext. 234  
Fax: (715) 358-2352  
Bradley.Koele@wisconsin.gov

# Karst geology



© Landscapes of Place LLC  
March 2006 1/02 / Based on Smith et al



Why?



## NR 151- Silurian bedrock Performance Standard

- Response to several groundwater/well contaminations in NE WI
- Fall 2016- Summer 2017 stakeholder committee propose rule changes
- Summer-Fall 2017 public hearings
- Winter 2018-19 Governor, legislative approval
- June 2018 Rule published adding NR 151.075



Summary of Proposed NR 151 Runoff Management Targeted Performance Standards <sup>1</sup> (as of January 25, 2018)		
Depth to bedrock	Solid manure conditions	Liquid manure conditions
<2' Verification Required <sup>2</sup>	No mechanical application	No mechanical application
2'-3' Verification Required <sup>2</sup>	Incorporate <sup>3</sup> within 72 hrs to 54" depth and; At least one of the following: a) Rate ≤ 15 T/acre, b) Within 10 d planting or established crop, c) Pathogens ≤ 500,000 CFU	Pre-tillage and; Inject or incorporate <sup>4</sup> 54" depth within 24hr and; At least one of the following: a) Rate is lesser of UW A2809 or Table 1, b) Within 10 d planting or established crop, c) Pathogens ≤ 500,000 CFU
3'-5' Verification required <sup>2</sup>	Same as above except 56" depth	Pre-tillage and; Inject or incorporate <sup>4</sup> 56" depth within 24hr and; Same as above
5'-20' No Verification required	No new conditions proposed	Pre-tillage and; Inject or incorporate <sup>4</sup> 56" depth within 24hr and; Same as above
Setbacks	Mechanical Manure applications prohibited within: a) 1,000 ft. of community well b) 250 ft. of private well	

<sup>1</sup> This document is a summary of the current draft rule approved by the NRB on 1/24/2018. This rule is not finalized and can still be changed during the rule making process. This summary does not include all the information within the current form of the official draft rule.

<sup>2</sup> Verify bedrock soil depth using infield bedrock verification or Siberian bedrock map information.

<sup>3</sup> Not applicable if cropland or pastures meet long-term no-till or have perennial or established crop

<sup>4</sup> Not applicable if cropland or pastures meet long-term no-till or have perennial or established crop. Each surface application of liquid manure must not exceed 6,750 gal/acre.

<sup>5</sup> Not applicable if cropland or pastures meet long-term no-till or have perennial or established crop. Each surface application of liquid manure must not exceed 10,000 gal/acre.





# LWCD Implementation

- Verify depth to bedrock
  - WI Standards and Oversight Council team
    - No established verification protocol yet
  - BC LWCD start with < 2 feet (manure prohibited)
    - 2600 acres
    - 260+ landowners
    - ~80 operators
  - Information we currently have based on soils, not accurate enough
- Get all < 2 ft to bedrock land cover by Nutrient Management Plans
  - ~53 landowners, possibly more – investigation required to determine if NMP is necessary